

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 1. This sheet replaces the corresponding original sheet.

Attachment: Replacement Sheet

REMARKS

In the Official Action of October 18, 2005, the replacement drawing for Figure 1 was objected to by the Examiner, and the amendment to the specification was not accepted because of certain informalities. These informalities have now been corrected. Accordingly, applicants have enclosed a new Replacement Sheet for Figure 1 (showing the part number lines as solid lines). In addition, the description of the drawing has also been corrected.

The informality to claim 3 has now been corrected. Accordingly, the objection to claims 3 and 4 noted by the Examiner is now moot.

Claims 3-4, 6, 8 and 24 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Examiner has stated that it is unclear whether the applicant is claiming the garment or tab in view of the indefiniteness in the claim language.

The claim language of claim 24 has now been revised to clarify that the claim is directed to the tab and not the garment. Accordingly, the rejection of this claim, and claims dependent thereon, has now been obviated.

Claims 3, 4, 6, 8 and 24-25 stand rejected under 45 U.S.C. 102(b) as being anticipated by Johnson, GB 2292607 ("GB '607"). This ground of rejection is respectfully traversed.

The Examiner has alleged that GB '607 discloses all the elements of the claimed invention, thereby anticipating the claims. In particular, the Examiner states that GB '607 discloses a garment 20 having waist regions 40 and 38, chassis 22, and core 26. The tab element of the garment is formed from side panel 90 and 44. The Examiner also states that the garment of the reference includes a gripping zone and a dead zone 98.

Although the Examiner considers the assembly of the side panel and tab to be equivalent to applicant's tab element, this is not the case. The fastener tab of the present invention is a single or unitary fastener, and not a composite element as suggested by the Examiner. The claims now reflect this distinction, antecedent support for which is found in the specification text and drawings, and particularly Figures 1 and 4. In view of this

distinction, applicant respectfully submits that the present claims are neither anticipated by, nor rendered obvious over, the GB '607 reference.

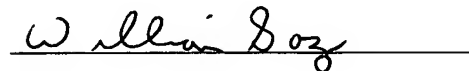
Claims 3, 4, 6, 8 and 24-25 have also been rejected under the judicially created doctrine of obviousness-type double patenting in view of (a) claims 25-52 of U.S. Patent No. 6,740,071, in view of GB '067, and (b) claims 26-54 of U.S. Patent No. 6,692,477, in view of GB '067. These grounds of rejection are also traversed.

Applicant would be prepared to submit a terminal disclaimer in order to obviate these double-patenting rejections should the Examiner indicate that these claims would otherwise be in condition for allowance.

In view of the aforementioned facts and reasons, the present application is now believed to overcome the remaining rejection in this application, and to be in proper condition for allowance. Reconsideration and withdrawal of the rejections is therefore respectfully solicited. The Examiner is invited to contact the undersigned at the telephone number listed below to discuss any matter pertaining to the status of this application.

Dated: 01/30/06

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William Gosz", is written over a horizontal line.

William G. Gosz

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